

Article - Natural Resources

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§8–2003.

(a) Whenever a person is halted by a regular or special police officer for an offense on publicly owned watershed property punishable as a misdemeanor and which is either a violation of law or a violation of watershed regulations, and is not taken before a District Court commissioner as would otherwise be required or is permitted by law, the officer may prepare a written or electronic citation containing:

- (1) A notice to appear in court;
- (2) The name and address of the person charged;
- (3) The offense charged;
- (4) The time and place the person shall appear in court;

(5) An acknowledgment of receipt of the citation by the person charged made in a manner determined by the Department; and

- (6) Other pertinent information as necessary.

(b) The time specified in the notice to appear shall be at least five days after the alleged violation unless the person charged with the violation demands an earlier hearing.

(c) The place specified in the notice to appear shall be before a judge of the appropriate District Court.

(d) The person charged with the violation may promise to appear in court by acknowledging receipt of at least one copy of the citation prepared by the officer in a manner determined by the Department, in which event the officer shall deliver a copy of the citation to the person. Then, the officer may not take the person into physical custody for the violation.

(e) Failure to comply with the notice to appear is punishable as contempt or as otherwise provided by law in such cases.

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